

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DEREK TILLMAN

v.

BBVA USA

§
§
§
§
§
§

CIVIL ACTION NO. 4:19-CV-02858

PLAINTIFF'S RULE 26(a)(1) INITIAL DISCLOSURES

Plaintiff Derek Tillman hereby submits his Initial Disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) as follows:

1. Name and, if known, the address and telephone number of each individual likely to have discoverable information - along with the subjects of that information - that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment:

Derek Tillman
c/o Robert C. Vilt
Texas Bar No. 00788586
S.D. Bar No. 20296
clay@viltlaw.com
Vilt and Associates, P.C.
5177 Richmond Avenue, Suite 1142
Houston, TX 77056
Telephone: 713.840.7570
Facsimile: 713.877.1827

Plaintiff is likely to have knowledge regarding all issues raised in this litigation.

BBVA USA
c/o William P. Huttenbach
Texas Bar No. 24002330
S.D. Bar No. 21742
Kristina L. Cunningham
Texas Bar No. 24049712
S.D. Bar No. 3101941
kcunningham@hirschwest.com
Yusuf S. Ansari
Texas Bar No. 24105047
S.D. Bar No. 3321478
yansari@hirschwest.com
Hirsch & Westheimer, P.C.
1415 Louisiana, 36th Floor
Houston, TX 77002
Telephone: 713.220.9182
Facsimile: 713.223.9319

Defendant's employees and/or representatives are likely to have knowledge regarding various issues raised in this litigation.

2. A copy - or a description by category and location - of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment:
 1. Affidavit of Derek Tillman.
 2. Note.
 3. Deed of Trust.
 4. Notice of Trustee's Sale.
 5. All pleadings and other documents on file in Cause No. 2019-52612; Derek Tillman v. BBVA USA; In the 80th Judicial District Court of Harris County, Texas.
 6. The Appraisal District Real Property Account Information for the property which the subject of this lawsuit.
 7. Plaintiff's Attorney Engagement Agreement.
 8. All documents which are identified by any other party to this lawsuit.
3. A computation of each category of damages claimed by the disclosing party - who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary matter, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered; and

Plaintiff is seeking actual damages, nominal damages, mental anguish damages, and exemplary damages for the fair market value of his property as well as damage to reputation and credit. In addition, Plaintiff is seeking his reasonable attorneys' fees and costs associated with prosecuting this lawsuit. Such attorneys' fees and costs shall be based upon the attorneys' fees and costs incurred through the date of final disposition of this lawsuit.

4. For inspection and copying under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Not applicable.

Respectfully submitted,

VILT AND ASSOCIATES, P.C.

By: /s/ Robert C. Vilt

Robert C. Vilt

Texas Bar No. 00788586

S.D. Bar No. 20296

Email: clay@viltlaw.com

5177 Richmond Avenue, Suite 1142

Houston, TX 77056

Telephone: 713.840.7570

Facsimile: 713.877.1827

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on August 08, 2019 the foregoing was filed with the Court via the CM/ECF system and that the Clerk of the Court will forward a copy of same to the following CM/ECF users:

William P. Huttenbach
Kristina L. Cunningham
Yusuf S. Ansari
Hirsch & Westheimer, P.C.
1415 Louisiana, 36th Floor
Houston, TX 77002

/s/ Robert C. Vilt
ROBERT C. VILT